

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

AMERICAN MANUFACTURERS MUTUAL
INSURANCE COMPANY,

Plaintiff,

vs.

Civil Action No. 03-40266 CBS

TOWN OF NORTH BROOKFIELD,
Defendant.

JOINT MOTION TO MODIFY SCHEDULING ORDER

Plaintiff, American Manufacturers Mutual Insurance Company (“AMMIC”), and Defendant, Town of North Brookfield (the “Town”) (collectively, the “Parties”), by way of undersigned counsel, hereby move this Court to modify the current amended Scheduling Order of February 15, 2005, in accordance with the request of the Court at the Status Conference conducted June 6, 2005, by adopting the following:

1. Notwithstanding the passage of the date for completion of fact discovery, the Parties may continue to resolve issues concerning outstanding answers to interrogatories and document production under previously served requests, and will work to prepare a joint statement of agreed upon facts with a view toward potential dispositive motions or trial.
2. Responses to any dispositive motions shall be filed no later than thirty (30) days after service of the dispositive motion to which it responds.
3. The Court will schedule a pretrial conference after ruling on any dispositive motions, unless the parties jointly request referral to ADR at that time, in which case the pretrial conference will be set after exhaustion of ADR efforts. A trial date will be set at the pretrial conference.
4. All other dates and deadlines remain as stated in the February 15, 2005 Order.

Respectfully submitted,

Town of North Brookfield

American Manufacturers Mutual Insurance
Company

By its attorneys,

By its attorneys,

/s/ Thomas W. McEnaney

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Dated: June 15, 2005

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